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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/529,850	06/16/2000	NIMROD SANDLERMAN	PM268700	5222

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Pillsbury Winthrop LLP  
1600 Tysons Boulevard  
McLean, VA 22102

EXAMINER

PHAN, JOSEPH T

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/529,850

Applicant(s)

SANDLERMAN, NIMROD

Examiner

Joseph T Phan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 37-51, 53-68, 70-85 and 87 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 37-51, 53-68, 70-85, and 87 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 37-51, 53-68, 70-85, and 87 rejected under 35 U.S.C. 102(e) as being anticipated by Fogg et al., Patent #5,841,839.**

Regarding claims 37, 54, and 71 Fogg teaches a shared voice processing system, network, and method for use with private telephone switches, the system comprising; a plurality of PBXs (14 and 16 Fig.1A), a central voice processing unit(22 Fig.1, Fig.1A) connected via at least one central office with said plurality of PBXs(Fig.1, Fig.2, Fig.9 and col.4 lines 20-59).

Regarding claims 38, 55, and 72 Fogg teaches a shared voice processing system, network, and method according to claims 37, 54, and 71 further comprising a voice processing interface associated with at least one PBX (12 Fig.1), said voice processing interface communicating with said voice processing unit via said at least one central office.

Regarding claims 39, 56, and 73 Fogg teaches a shared voice processing system, network, and method according to claims 38, 55, and 72, wherein said voice

processing interface is located intermediate a PBX and a telephone line communicating with said central office and via said central office with said central voice processing unit (12 Fig.1).

Regarding claims 40, 57, and 74 Fogg teaches a shared voice processing system, network, and method according to claims 38, 55, and 72, wherein said interface provides translation of signaling between a signaling protocol employed by the PBX and a signaling protocol employed by the central voice processing unit (12 Fig.1A and col.4 lines 25-30).

Regarding claims 41, 58, and 75 Fogg teaches a shared voice processing system, network, and method according to claims 37, 54, and 71, wherein said at least one central office provides multiplexed connections to said plurality of PBXs (Fig.1A).

Regarding claims 42, 59, and 76 Fogg teaches a shared voice processing system, network, and method according to claims 38, 55, and 72, wherein said interface is connected to a PBX via a PBX extension (Fig.1A).

Regarding claims 43, 60, and 77 Fogg teaches a shared voice processing system, network, and method according to claims 42, 59, and 76, wherein said interface is also connected to said PBX via a digital data link (col.4 lines 31-67).

Regarding claims 44, 61, and 78, Fogg teaches a shared voice processing system, telephone network, and method for use with private telephone switches, the system comprising: a central voice processing unit(22 Fig.1A) connected with a plurality of PBXs (14 and 16 Fig.1); and a voice processing interface(12 Fig.1) associated with at least one PBX and being connected intermediate a PBX and a telephone line

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communicating with said central voice processing unit (12 Fig.1A and col.4 lines 20-59; telephone line connected between interface 12 to central voice processing unit 22)).

Regarding claims 45, 62, and 79, Fogg teaches a shared voice processing system, telephone network, and method according to claims 44, 61, and 78, wherein said interface provides translation of signaling between a signaling protocol employed by the PBX and a signaling protocol employed by the central voice processing unit (12 Fig.1A and col.4 lines 25-30).

Regarding claims 46, 63, and 80, Fogg teaches a shared voice processing system, telephone network, and method according to claims 44, 61, and 78, wherein at least one central office provides multiplexed connections between said central voice processing unit and said plurality of PBXs (Fig.1A).

Regarding claims 47, 64, and 81, Fogg teaches a shared voice processing system, telephone network, and method according to claims 44, 61, and 78, wherein said interface is connected to a PBX via a PBX extension (Fig.1A).

Regarding claims 48, 65, and 82, Fogg teaches a shared voice processing system, telephone network, and method according to claims 47, 64, and 81, wherein said interface is also connected to said PBX via a digital data link (Fig.1A and col.4 lines 31-67).

Regarding claims 49, 66, and 83, Fogg teaches a shared voice processing system, telephone network, and method according to claims 38, 55, and 72 and wherein said interface is incorporated in a PBX (integrated 14 Fig.2 and col.2 lines 56-67).

Regarding claims 50, 67, and 84 Fogg teaches a shared voice processing system, network, and method according to claims 37, 54, and 71 further comprising at least one computer system cooperating with at least one of said PBXs for providing unified messaging (Fig.1A and col.2 line 45-col.3 line 41).

Regarding claims 51, 68, and 85, Fogg teaches a shared voice processing system, telephone network, and method according to claims 44, 61, and 78 further comprising at least one computer system cooperating with at least one of said PBXs for providing unified messaging(Fig.1A and col.2 line 45-col.3 line 41).

Regarding claims 53, 70, and 87, Fogg teaches a shared voice processing system, telephone network, and method according to claims 44, 61, and 78, wherein at least one of said plurality of PBXs and at least one of said plurality of interfaces, which is connected to said at least one of said plurality of PBXs, are connected to separate central offices (Fig.1A).

### ***Response to Arguments***

2. Applicant's arguments filed 06/21/04 have been fully considered but they are not persuasive. Applicant argues that that the prior art of record, Fogg, is silent on teaching a central voice processing unit connected via at least one central office with said plurality of PBX's and that the system in Fogg requires the addition of an integrated switching network. Examiner respectfully disagrees as Fogg does teach a central voice processing unit (see 22 Fig.1A) connected via at least one central office (see 16T Fig.1A) with said plurality of PBX's(see 16 and 20 Fig.1A). The claim as recited does not have a requirement that an integrated switching network cannot be used, therefore

a system with or without a switching network can be used. It is noted that the claims as recited is broad enough that it does not require a point at where a voice processing unit is connected to a central office and multiple PBX's. Therefore, any private network that is connected to a public switching network can be read onto the claim. Regarding claims 44, 61, and 78, the integrated switching network(12 Fig.1A in Fogg) is connected intermediate a PBX (16 Fig.1A) and a telephone line(line connected between 12 and 22 Fig.1A) communicating with a central processing unit (22 Fig.1A).

### ***Conclusion***

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph T Phan whose telephone number is 703-305-3206. The examiner can normally be reached on M-TH 9:00-6:30, in every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JTP  
September 3, 2004



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